

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

**FILED**  
HARRISBURG, PA

IN THE MATTER OF APPLICATION FOR :  
ADMISSION TO PRACTICE IN THIS COURT :

NOV 29 2007

MARY E. D'ANDREA, CLERK  
Per [Signature]  
Deputy Clerk

**PETITION**

I, ERIC J. MCCARTHY, hereby petition the United States District Court for the Middle District of Pennsylvania to admit me to practice before that Court. In support of my petition, I state as follows:

My office address is: LATHAM & WATKINS, LLP  
555 ELEVENTH STREET, N.W., SUITE 1000  
WASHINGTON, D.C. 20004-1304

Office Telephone: 202-637-1096

I was admitted to practice before the Courts listed below on the date shown after the name of each Court, and I am currently a member in good standing of all those Courts.

SEE ATTACHMENT "A"

My attorney Identification number is: District of Columbia 455769; Maryland 12/18/1996

**FOR COURT USE ONLY**

     **GENERAL ADMISSION:**

**BEFORE JUDGE**                      **Date:**                       
U.S. DISTRICT JUDGE      U.S. MAGISTRATE JUDGE

**X** **SPECIAL ADMISSION:**

**GRANTED** [Signature] **Date:** 11/30/07  
X U.S. DISTRICT JUDGE      U.S. MAGISTRATE JUDGE

Please Answer the Following Questions:

All occasions, if any, on which I have been convicted of a crime (subsequent to my becoming an attorney), censured, suspended, disciplined or disbarred by any court are set forth as follows: (State the facts and circumstances connected with each; if none, state "none".)

NONE

All occasions, if any, on which I have been held in contempt of court are set forth as follows: (State the nature and final disposition of the contempt: if none, state "none".) None.

I do       , do not   X  , have any disciplinary action, contempt or other proceedings involving me pending before any court. (Check the appropriate space.) If there are pending proceedings, please explain:

I am seeking:

       General Admission under Local Rule LR 83.8.1

  X   Special Admission (specify by a check which rule) under

LR 83.8.2.1   X  , LR 83.8.2.2       , LR 83.8.2.3       , or LR 83.8.2.4       

If seeking special admission under Local Rules LR 83.8.2.1, LR 83.8.2.2, LR 83.8.2.3, or LR 83.8.2.4, the basis for my admission under the designated rule is as follows:

Pro Hac Vice Admission in the below-listed case.

NAME THE PARTY YOU REPRESENT:

DENTSPLY INTERNATIONAL INC.

If special admission is requested for a particular case, please list case number and caption:

Case # 1:07-CV-01799-CCC

Caption # NOWAK DENTAL SUPPLIES, INC. v. DENTSPLY INTERNATIONAL, INC.

I understand that:

- 1) If seeking admission under Section LR 83.8.2.2, LR 83.8.2.3, or 83.8.2.4, I must submit a letter from a superior stating the agency with which I am employed and the duties performed which qualify me for admission under those sections.
- 2) If petitioning for admission, only in a particular case, under Rule LR 83.8.2.1, I need no sponsor's certificate. Any attorney specially admitted under LR 83.8.2.1, shall, in each proceeding in which he or she appears, have associate counsel who is generally admitted under Local Rule 83.8.1 to practice in this court, whose appearance shall also be entered of record and upon whom all pleadings, motions, notices, and other papers may be served in accordance with any statute or applicable rule. The attendance of any such associate counsel upon the hearing of any motion or the taking of any testimony shall be sufficient appearance for the party or parties represented by such associate counsel. Either the specially admitted attorney or associate counsel must be fully prepared to participate in any hearings, arguments, conferences and trials. (See LR 83.9)

If special admission is requested for a particular case, please list the name, address, telephone number and bar identification number of associate counsel to be entered of record in the case:

McNees Wallace & Nurick LLC

Harvey Freedenberg, PA 23152

100 Pine Street, P.O. Box 1166

Harrisburg, PA 17108-1166

717-237-5267

- 3) If seeking regular admission under Rule LR 83.8.1, I must have a sponsor who is a member in good standing of the Bar of this Court present to move for my admission and I must submit the sponsor's certificate with my petition.

  
\_\_\_\_\_  
PETITIONER

District of Columbia # 455769; Maryland # 12/18/1996  
(Bar Identification Number)

\_\_\_\_\_  
(Date)

NAME OF PETITIONER Eric J. McCarthy

**ATTACHMENT "A"**  
**Eric J. McCarthy**

I was admitted to practice before the Courts listed below on the date shown after the name of each Court, and I am currently a member in good standing of all those Courts.

District of Columbia Court of Appeals (admitted September 5, 1997)

Maryland Court of Appeals Bar (admitted December 18, 1996)

United States District Court for the District of New Jersey (admitted December 20, 1996)

United States District Court for the District of Columbia (admitted June 1, 1998)

United States District Court for the District of Maryland (admitted June 19, 2000)

United States District Court for the Eastern District of Michigan (admitted February 12, 2003)

United States Court of Appeals for the District of Columbia Circuit (admitted May 27, 1998)

United States Court of Appeals for the Third Circuit (admitted October 30, 2003)

United States Court of Appeals for the Ninth Circuit (admitted October 7, 2002)

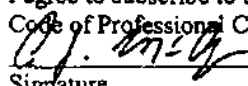
UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

CODE OF PROFESSIONAL CONDUCT

As a member of the Bar of the United States District Court for the Middle District of Pennsylvania, I will strive for the following professional ideal:

1. The rule of law will govern my entire conduct. I will not violate the law or place myself above the law.
2. I will treat with civility and respect the lawyers, clients, opposing parties, the court and all the officials with whom I work. Professional courtesy is compatible with vigorous advocacy and zealous representation. Even though antagonism may be expected by my client, it is not part of my duty to my client.
3. I will respect other lawyers' schedules as my own, and will seek agreement on meetings, depositions, hearings, and trial dates. A reasonable request for a scheduling accommodation should never be unreasonably refused.
4. Communications are life lines. I will keep the lines open. Telephone calls and correspondence are a two-way channel; I will respond to them promptly.
5. I will be punctual in appointments, communications and in honoring scheduled appearances. Neglect and tardiness are demeaning to others and to the judicial system.
6. I will earnestly attempt to resolve differences through negotiation, expeditiously and without needless expense.
7. Procedural rules are necessary to judicial order and decorum. I will be mindful that pleadings, discovery processes and motions cost time and money. I will not use them heedlessly. If an adversary is entitled to something, I will provide it without unnecessary formalities.
8. I will not engage in conduct that brings disorder or disruption to the courtroom. I will advise my client and witnesses appearing in court of the proper conduct expected and required there and, to the best of my ability, prevent my client and witnesses from creating disorder or disruption.
9. Before dates for hearings or trials are set, or if that is not feasible immediately after such date has been set, I will attempt to verify the availability of necessary participants and witnesses so I can promptly notify the court of any likely problems.

I agree to subscribe to the above  
Code of Professional Conduct:

  
Signature

Court Name: Pennsylvania Middle  
Division: 1  
Receipt Number: 111002500  
Cashier ID: jcardile  
Transaction Date: 11/29/2007  
Payer Name: MCNEES WALLACE MURICK

PRO HOC VICE  
For: CHARLES R. PRICE  
Case/Party: D-PAM-3-07-LB-000001-001  
Amount: \$25.00

PRO HOC VICE  
For: MARGARET M. ZWISLER  
Case/Party: D-PAM-3-07-LB-000001-001  
Amount: \$25.00

PRO HOC VICE  
For: ERIC J. MCCARTHY  
Case/Party: D-PAM-3-07-LB-000001-001  
Amount: \$25.00

CHECK  
Check/Money Order Num: 165360  
Amt Tendered: \$25.00

CHECK  
Check/Money Order Num: 165360  
Amt Tendered: \$25.00

CHECK  
Check/Money Order Num: 165360  
Amt Tendered: \$25.00

Total Due: \$75.00  
Total Tendered: \$75.00  
Change Amt: \$0.00

Only when bank clears the check or  
verifies credit of funds is the fee  
or debt officially paid or  
discharged. A fee of \$45.00 will be  
charged for returned checks.